

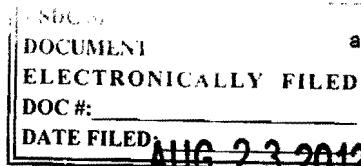
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August 23, 2012

Honorable Katherine B. Forrest  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: Illinois National Insurance Company v. Tutor Perini Corporation  
Index No. 11-cv-00431

Dear Judge Forrest:

We represent Defendant and Third-Party Plaintiff Tutor Perini Corporation ("Tutor Perini") in the above referenced matter.

We write pursuant to Section I.E. of Your Honor's Individual Rules of Practices. On August 13, 2012 and August 15, 2012, the Court granted Plaintiffs Chartis<sup>1</sup> and Third-Party Defendant Certain Underwriters at Lloyd's, London's ("Lloyd's") requests to file supplemental papers in connection with their respective motions for summary judgment. In addition, the broker who placed certain Chartis policies at issue in this litigation will be deposed Wednesday, August 29, 2012 as this was the first available date for his deposition. In light of these supplemental filings, the upcoming broker deposition, and due to unforeseen scheduling issues in other matters and attorney vacation schedules, Tutor Perini respectfully requests a short extension of time to file their opposition. Tutor Perini would give Chartis and Lloyd's a corresponding extension on their reply.

Pursuant to the summary judgment briefing schedule set forth in Your Honor's Order dated June 29, 2012, Tutor Perini's oppositions to Chartis and Lloyd's respective motions for summary judgment are originally due Monday, August 27, 2012. Tutor Perini respectfully requests a short extension to Friday, August 31, 2012, or such other date as the Court may subsequently order. No previous requests have been made

<sup>1</sup> Illinois National Insurance Company ("Illinois National"), The Insurance Company of the State of Pennsylvania ("ICSOP"), and National Union Fire Insurance Company of Pittsburgh, PA's ("National Union").

**Anderson Kill & Olick, P.C.**

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regarding the summary judgment briefing schedule. While Tutor Perini has informed Chartis and Lloyd's that it would give Chartis and Lloyd's a corresponding extension on their reply, subject to the Court's discretion, Chartis and Lloyd's do not consent to this request due to concerns that the extension will not give them sufficient time to respond. Chartis informed Tutor Perini that it will be sending a letter to the Court with their objections. Subject to the Court's discretion, we do not believe the other deadlines set forth in the June 29, 2012 Order are affected.

Tutor Perini respectfully requests that the Court grant their request to the short extension of time to file their oppositions from Monday, August 27, 2012 to Friday, August 31, 2012.

Respectfully submitted,



Alex D. Hardiman

cc: Chartis' Counsel

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Extension granted until 9AM  
on 8/31. All papers must be filed no  
later than that time.

The Court will still inform the  
parties on the date specified as to  
whether it will adjourn the SPTO;  
trial date. 8/23/12

**SO ORDERED:**

*Katherine B. Forrest*

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HON. KATHERINE B. FORREST  
UNITED STATES DISTRICT JUDGE